

AMENDED IN SENATE APRIL 26, 2004

SENATE BILL

No. 1157

Introduced by Senator Romero

January 29, 2004

An act to ~~repeal~~ *amend* Section 10369.12 of the Insurance Code, relating to ~~health~~ insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1157, as amended, Romero. ~~Health~~ *Disability* insurance: intoxication.

Existing law generally authorizes insurers to include certain provisions in their ~~health~~ *disability* insurance policies. Under existing law, a ~~health~~ *disability* insurance policy may contain a provision indicating that the insurer is not liable for any loss caused by the insured being intoxicated or under the influence of any controlled substance unless administered on the advice of a physician.

This bill would ~~repeal the provision of law allowing~~ *exempt* a health insurance policy ~~to contain~~ *from* the above policy provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 10369.12 of the Insurance Code is~~
2 ~~repealed.~~

3 *SECTION 1. Section 10369.12 of the Insurance Code is*
4 *amended to read:*

5 10369.12. (a) A disability policy may contain a provision in
6 the form set forth herein.

1 Intoxicants and controlled substances: The insurer shall not be
2 liable for any loss sustained or contracted in consequence of the
3 insured's being intoxicated or under the influence of any
4 controlled substance unless administered on the advice of a
5 physician.

6 *(b) Subdivision (a) does not apply to a policy of health*
7 *insurance, as defined in subdivision (b) of Section 106.*

